

**WEDNESDAY, JANUARY 12, 2000**

**FORTIETH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Gene Wise, St. Paul's Episcopal Church, Murfreesboro, Tennessee.

Representative Eckles led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Odom; business reasons.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 114:** Rep(s). Dunn and Walker as prime sponsor(s).

**House Bill No. 2004:** Rep(s). Montgomery, Bittle, McCord, Baird, Dunn, Goins, Newton, Buttry, Patton, Davis (Cocke), Godsey, Davis (Washington), McAfee, Caldwell, Brooks, Gunnels, Roach, Pinion, McKee, Hassell, McDaniel, Boyer, Windle, Sharp, Mumpower, Wood, Kerr, Hagood and Bunch as prime sponsor(s).

**MESSAGE FROM THE SENATE**  
**January 12, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 371; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**January 12, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 523; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 523** -- Memorials, Personal Occasion - Mary Elizabeth St. Clair Cooper, birth. by \*Kyle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**ENROLLED BILLS**  
**January 12, 2000**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 371.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**January 12, 2000**

The Speaker signed the following: House Joint Resolution(s) No(s). 371.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**January 12, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 371; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**January 12, 2000**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 371.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Resolution No. 80** -- Naming and Designating - "Family Week," September 1999. by \*Windle.

House Children and Family Affairs Committee

**\*House Joint Resolution No. 374** -- Highway Signs - "Veterans Viaduct," S.R. 55, Tullahoma. by \*Lewis.

House Transportation Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 13, 2000:

**House Resolution No. 117** -- Memorials, Sports - Chad Harville, Hardin County major leaguer. by \*Rinks.

**House Resolution No. 118** -- Memorials, Personal Occasion - Pauline Story Laws, 85th birthday. by \*Patton.

**House Resolution No. 119** -- Memorials, Personal Occasion - Ganelle Roberts, 60th birthday. by \*Hagood.

**House Joint Resolution No. 379** -- Memorials, Sports - 1999 University School of Jackson baseball team, 1999 TSSAA Class A state champions. by \*Walley, \*Kisber, \*McDaniel.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 255** -- Highway Signs - "Night Attack on Rives Farm," historical marker on S.R. 59 at I-40 in Fayette County. by \*Wilder.

House Conservation and Environment Committee

**Senate Joint Resolution No. 359** -- Naming and Designating - "Storytelling Day on Capitol Hill," May 18, 1999. by \*Crowe.

House State and Local Government Committee

**\*Senate Joint Resolution No. 407** -- General Assembly, Statement of Intent or Position - Endorses DOE construction of Spallation Neutron Source at ORNL. by \*McNally.

Held on House Desk

**\*Senate Joint Resolution No. 428** -- Memorials, Congress - Urges appropriation of funds to pay dues owed in arrears by United States to United Nations. by \*Cohen.

House Government Operations Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2010** -- Coffee County - Subject to local approval, authorizes highway commission to acquire, erect and maintain all road name signs on county road system. Amends Chapter 8 of the Private Acts of 1971; as amended. by \*Lewis.

**\*House Bill No. 2011** -- Custody and Support - Authorizes court to grant grandparent visitation after first determining presence of danger of substantial harm based upon certain factors; deletes relationship provisions of TCA 36-6-307; and requires consideration of best interest factors. Amends TCA Section 36-6-306 and Section 36-6-307. by \*Whitson.

**\*House Bill No. 2012** -- Transportation, Dept. of - Allows former property owner, as well as adjoining property owners, to have right to purchase property designated as surplus by department. Amends TCA Section 12-2-112. by \*Whitson.

**House Bill No. 2013** -- Autopsies - Requires municipalities and counties requesting autopsy from county medical examiner to pay such county medical examiner for such autopsy. Amends TCA Section 38-7-104. by \*Eckles, \*Hood.

**\*House Bill No. 2014** -- Housing - Directs inclusion of certain information concerning housing services for mentally ill in plan for services prepared by department of mental health and mental retardation; requires certain reports to general assembly. Amends TCA Title 13 and Title 33. by \*Walley.

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1928** -- State Employees -- House State and Local Government Committee

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**House Bill No. 1929** -- Bond Issues -- House Finance, Ways and Means Committee

**House Bill No. 1932** -- Election Laws -- House State and Local Government Committee

**House Bill No. 1937** -- Police -- House State and Local Government Committee

**\*House Bill No. 1939** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**House Bill No. 1942** -- Boards and Commissions -- House State and Local Government Committee

**\*House Bill No. 1943** -- Boards and Commissions -- House State and Local Government Committee

**\*House Bill No. 1944** -- Industrial Development -- House State and Local Government Committee

**House Bill No. 1956** -- Taxes, Severance -- House Finance, Ways and Means Committee

**\*House Bill No. 1973** -- Utilities, Utility Districts -- House State and Local Government Committee

**\*House Bill No. 1975** -- Annexation -- House State and Local Government Committee

**\*House Bill No. 1978** -- Taxes, Alcoholic Beverages -- Caption Bill Held on House Desk

**\*House Bill No. 2002** -- Tort Liability -- House Judiciary Committee

**\*House Bill No. 2003** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

**House Bill No. 2004** -- Taxes, Sales -- House Finance, Ways and Means Committee

**\*House Bill No. 2005** -- Highways, Roads and Bridges -- House Transportation Committee

**\*House Bill No. 2006** -- Taxes, Real Property -- House Finance, Ways and Means Committee

**\*House Bill No. 2007** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**\*House Bill No. 2008** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**\*House Bill No. 2009** -- Autopsies -- House State and Local Government Committee

CONSENT CALENDAR

**House Resolution No. 113** -- Memorials, Heroism - Eddie Cox, Rockwood Good Samaritan. by \*Ferguson.

**House Resolution No. 114** -- Memorials, Academic Achievement - Ralph Ramey, FFA national award recipient. by \*Ferguson, \*Givens, \*Bowers, \*Caldwell, \*Bone, \*Windle, \*Baird, \*Goins, \*Ford S, \*Roach.

**House Resolution No. 115** -- Memorials, Sports - 1999 Kingston High School boys' golf team, TSSAA state champions. by \*Ferguson.

**House Resolution No. 116** -- Memorials, Public Service - Ashley L. Glover. by \*Phillips.

**House Joint Resolution No. 369** -- Memorials, Recognition - Archbishop Desmond Tutu. by \*Brooks.

**House Joint Resolution No. 370** -- Memorials, Retirement - Janice Hastings. by \*Phillips, \*Fowlkes.

**House Joint Resolution No. 372** -- Memorials, Personal Achievement - James H. McKenzie, "Mr. Democrat.". by \*Lewis.

**House Joint Resolution No. 373** -- Memorials, Personal Achievement - Barbara Snyder, "Mrs. Democrat.". by \*Lewis.

**House Joint Resolution No. 375** -- Memorials, Public Service - Charles Eaker Orr, Minister of Education Emeritus. by \*Ridgeway.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 376 out of order, which motion prevailed.

**House Joint Resolution No. 376** -- Memorials, Heroism - Paul W. Johnson, MSgt. U.S. Army, Retired. by \*Davidson, \*McDaniel, \*Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davidson, the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Cole (Carter) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 523 out of order, which motion prevailed.

**Senate Joint Resolution No. 523** -- Memorials, Personal Occasion - Mary Elizabeth St. Clair Cooper, birth. by \*Kyle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

On motion of Rep. Cole (Carter), the resolution was concurred in.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 378 out of order, which motion prevailed.

**House Joint Resolution No. 378** -- Memorials, Recognition - Reginald Martin, University of Memphis. by \*DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, with the request that all members of the Shelby County delegation voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**  
**January 12, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 523; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**  
**January 12, 2000**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 523.

**ENGROSSED BILLS**  
**January 12, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 369, 370, 372, 373, 375, 376 and 378.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, January 13, 2000.